

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

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| IN RE: SPRINT COMMUNICATIONS COMPANY L.P., AND LEVEL 3 COMMUNICATIONS, LLC | DOCKET NOS. SPU-02-11 SPU-02-13 |
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SECOND ORDER REVISING PROCEDURAL SCHEDULE

(Issued October 4, 2002)

On August 19, 2002, the Utilities Board (Board) issued an order docketing these two appeals from decisions of the North American Numbering Plan Administrator, consolidating them for hearing, and setting a procedural schedule. By order issued September 12, 2002, the procedural schedule was revised. Pursuant to the revised schedule, the testimony of the Consumer Advocate Division of the Department of Justice (Consumer Advocate) and any interveners is due on October 7, 2002, the rebuttal testimony of Sprint Communications Company, L.P. (Sprint), and Level 3 Communications, LLC (Level 3), is due on October 24, 2002, and the hearing is scheduled for November 19, 2002.

On September 13, 2002, Qwest Corporation (Qwest) filed a petition to intervene in this matter, which was granted by Board order issued September 24, 2002.

On October 1, 2002, Qwest filed a motion for an extension of time to file its direct testimony, from October 7, 2002, to October 14, 2002. Qwest states that it

does not oppose a similar extension in the time for Level 3 and Sprint to submit reply testimony; however, Qwest also requests an opportunity to file surrebuttal testimony seven days following the date Level 3 and Sprint file their rebuttal testimony. In other words, Qwest proposes to revise the schedule so that its own testimony (and, presumably, the testimony of Consumer Advocate) is due on October 14, 2002, the Level 3 and Sprint rebuttal testimony is due on October 31, 2002, and Qwest's surrebuttal testimony is due on November 7, 2002, just seven business days before the hearing.

Qwest states that it is seeking an extension of time because it sent data requests to Sprint and Level 3 on September 27, 2002, so the responses are not due until Friday, October 4, 2002, making it unreasonably difficult to file its testimony on the following Monday, October 7, 2002. Qwest states that it seeks the opportunity to file surrebuttal testimony because Qwest believes Level 3 and Sprint have addressed the issue of virtual NXX usage in only a very general manner in their initial testimony, but may provide much more detailed information in their rebuttal.

The Board will grant the requested extension of time and will extend the date for the filing of rebuttal testimony by seven days, as well. The Board will not rule upon the motion to file surrebuttal testimony at this time, but will reserve its ruling until after the rebuttal testimony is filed. At that time, the Board will consider the nature of the rebuttal testimony and determine if surrebuttal testimony is likely to assist the Board in making its decision. If the motion is granted, the hearing in this matter will have to be rescheduled to a later date, and the Board does not want to

reschedule the hearing at this time, based only on the possibility that surrebuttal testimony may be required.

IT IS THEREFORE ORDERED:

The procedural schedule established in the Board's order of September 12, 2002, is modified as follows:

a. Consumer Advocate, Qwest, and any interveners not aligned with Level 3 and Sprint shall file testimony, with supporting exhibits and workpapers, on or before October 14, 2002.

b. Level 3, Sprint, and any intervenors aligned with their interests may file rebuttal testimony, with supporting exhibits and workpapers, on or before October 31, 2002.

c. A hearing for the purpose of receiving testimony and cross-examination of all testimony will commence at 9 a.m. on November 19, 2002, in the Board's hearing room at 350 East Maple Street, Des Moines, Iowa. Parties shall appear at the hearing one-half hour prior to the time of hearing to mark exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 to request that appropriate arrangements be made.

d. Any party desiring to file a brief may do so on or before
December 3, 2002.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 4th day of October, 2002.